

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Gregory D. Linver
Debtor(s)

Bankruptcy Case No.: 20-22639-CMB
Per December 3, 2020 Proceeding
Chapter: 13
Docket No.: 56 – 16
Concil. Conf.: March 11, 2021 at 09:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated September 22, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,974.00 as of December, 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 11, 2021 at 09:30 AM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PennyMac (Cl #10) gov; Wells Fargo (Cl #5) pd per OE 11/18/20 (Doc. 51) .
- ☐ H. Additional Terms:

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: December 4, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Gregory D. Linver
Debtor(s)

Case No. 20-22639-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 04, 2020

User: gamr
Form ID: 149

Page 1 of 3
Total Noticed: 37

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 06, 2020:

Recip ID	Recipient Name and Address
db	+ Gregory D. Linver, 1702 Fawcett Ave, White Oak, PA 15131-1812
sp	+ Karen L. Myers, 1715 Lincoln Highway, North Versailles, PA 15137
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15287178	+ Greater Pittsburgh Pediatric Center, 1811 Blvd. of the Allies Suite 200, Pittsburgh, PA 15219-5964
15287179	+ Home Depot & Citi Bank, Po Box 790034, Saint Louis, MO 63179-0034
15287180	+ Lending USA, c/o Bankruptcy Dept., 15303 Ventura Blvd., Suite 850, Sherman Oaks, CA 91403-6630
15287181	+ Municipal Authority of Westmoreland, PO Box 800, Greensburg, PA 15601-0800
15287183	+ PennyMac Loan Services, Attn: Correspondence, Po Box 514387, Los Angeles, CA 90051-4387
15310719	+ PennyMac Loan Services, LLC, P.O. Box 2410, Moorpark CA 93020-2410
15292310	+ SunTrust Bank, Green Sky, & Trust, Attn Bankruptcy Dept., Po Box 8509, Richmond, VA 23286-0001
15287184	+ SunTrust Bank, Green Sky, & Trust, Attn Bankruptcy Dept., Po Box 8509, Richmond, VA 23286-0001
15301244	+ UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15287186	+ Wells Fargo Bank, Attn Bankruptcy Dept., Po Box 10438, Des Moines, IA 50306-0438
15292849	+ Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
15287187	+ West Penn Hospital, c/o Allegheny Health Network, PO Box 645206, Pittsburgh, PA 15264-5206
15287188	+ White Oak Borough, 2280 Lincoln Way, White Oak, PA 15131-2489
15287189	+ White Oak Emergency Medical Services, PO Box 726, New Cumberland, PA 17070-0726

TOTAL: 17

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 05 2020 05:29:00	Americredit Financial Services, Inc., d/b/a GM Fin, 4000 Embarcadero Dr., Arlington, TX 76014-4101
cr	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 05 2020 05:30:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 05 2020 05:49:34	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15291718	Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 05 2020 05:29:00	AmeriCredit Financial Services, Inc., dba GM Financial, P O Box 183853, Arlington, TX 76096
15291579	Email/Text: ally@ebn.phinsolutions.com	Dec 05 2020 05:29:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
15287172	+ Email/Text: ally@ebn.phinsolutions.com	Dec 05 2020 05:29:00	Ally Financial, Attn Bankruptcy Dept., Po Box 380901, Minneapolis, MN 55438-0901
15294791	+ Email/Text: documentfiling@lciinc.com	Dec 05 2020 05:29:00	COMCAST, PO BOX 1931, Burlingame, CA 94011-1931
15287173	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 05 2020 05:49:19	Capital One Bank, Attn Bankruptcy Dept., Po Box 30285, Salt Lake City, UT 84130-0285
15291069	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Dec 05 2020 05:49:19	Capital One Bank (USA), N.A., by American

District/off: 0315-2

User: gamr

Page 2 of 3

Date Rcvd: Dec 04, 2020

Form ID: 149

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			InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15287175	+ Email/Text: bankruptcy@firstenergycorp.com	Dec 05 2020 05:30:00	Collection Service Center Inc., Attn Bankruptcy Dept., 839 5th Ave., New Kensington, PA 15068-6303
15287176	+ Email/Text: kbarkley@bernsteinlaw.com	Dec 05 2020 05:30:00	Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219-1942
15287177	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Dec 05 2020 05:29:00	GM Financial, Attn Bankruptcy Dept., Po Box 183853, Arlington, TX 76096-3853
15312532	+ Email/Text: bankruptcy@greenskycredit.com	Dec 05 2020 05:29:00	GreenSky,LLC, 1797 North East Expressway, Suite 100, Atlanta, GA 30329-2451
15308342	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Dec 05 2020 05:49:33	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15310967	Email/Text: bnc-quantum@quantum3group.com	Dec 05 2020 05:29:00	Quantum3 Group LLC as agent for, CF Medical LLC, PO Box 788, Kirkland, WA 98083-0788
15287888	+ Email/PDF: gecsed@recoverycorp.com	Dec 05 2020 05:41:39	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15308350	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Dec 05 2020 05:50:16	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15287185	Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 05 2020 05:29:00	Verizon Wireless, PO Box 553, Warrendale, PA 15086
15292312	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	Dec 05 2020 05:29:00	Verizon Wireless*, 500 Technology Drive, Suite 550, Weldon Spring, MO 63304-2225
15287190	Email/Text: documentfiling@lciinc.com	Dec 05 2020 05:29:00	Xfinity/Comcast, PO Box 3001, Southeastern, PA 19398-3001

TOTAL: 20

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC
cr		Wells Fargo Bank, N.A.
15297914	*P++	AMERICREDIT FINANCIAL SERVICES DBA GM FINANCIAL, PO BOX 183853, ARLINGTON TX 76096-3853, address filed with court., Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853, Arlington, TX 76096
15287174	*+	Capital One Bank, Attn Bankruptcy Dept., Po Box 30285, Salt Lake City, UT 84130-0285
15287182	*	Municipal Authority of Westmoreland, PO Box 800, Greensburg, PA 15601-0800
15292311	*	Verizon Wireless, PO Box 553, Warrendale, PA 15086

TOTAL: 2 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 06, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: gamr

Page 3 of 3

Date Rcvd: Dec 04, 2020

Form ID: 149

Total Noticed: 37

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 4, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PENNYMAC LOAN SERVICES LLC bnicholas@kmlawgroup.com
Karina Velter	on behalf of Creditor Wells Fargo Bank N.A. amps@manleydeas.com
Kenneth Steidl	on behalf of Debtor Gregory D. Linver julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@st eidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com
William E. Craig	on behalf of Creditor Americredit Financial Services Inc., d/b/a GM Financial ecfmail@mortoncraig.com, mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 8